

EXHIBIT E



Health and Human Services

30 E. Broad Street, 26th Floor
Columbus, OH 43215
www.OhioAttorneyGeneral.gov

August 24, 2018

Ethan Forrest, Esq.
Maureen Browne, Esq.
Via email

RE: *In re: National Prescription Opiate Litigation, Case No. 1:17-md-02804*
Subpoena Duces Tecum to State of Ohio Board of Pharmacy

Dear Mr. Forrest,

I write in reply to your August 22, 2018 letter regarding the Ohio Board of Pharmacy's response to your subpoena in connection with the National Prescription Opiate MDL litigation. The Board is continuing to collect records responsive to your subpoena request. We anticipate making another round of disclosures within the next week. Given the volume of material in the Board's possession that may be responsive to your subpoena requests, the Board does not anticipate having substantially completed its disclosure by the end of this month. But the Board will continue to produce records as required on a rolling basis. At present, the Board is unwilling to produce a copy of the OARRS database. If you can provide us with a description of what specific information you are seeking from that database, we may be able to provide it from another source.

As my client previously explained, the generality of the request for correspondence has posed a substantial technical hurdle to full compliance with the subpoena. We are attempting to resolve the technical difficulties slowing our review. For example, the sheer volume of emails that may be responsive to your requests exceeds the Board's present technical capacity to cull and review. Even if the Board had the ability to collect all responsive communications, the time required to review all correspondence for privileged and/or confidential materials is enormous. The Board would encourage you and your clients to discuss narrowing the scope of your request to facilitate a speedier disclosure. At a minimum, if you could provide a list of priority items, we can ensure that those requests are handled first.

Sincerely,

/s/ James T. Wakley

James T. Wakley
Senior Assistant Attorney General